

RECEIVED
AND FILED

FILED

OCT 10 2007

OCT 12 2 09 PM '07

HAROLD S. MARENUS, CLERK
U.S. BKCY. APP. PANEL
OF THE NINTH CIRCUITU.S. BANKRUPTCY COURT
MARY A. SCHOTT, CLERK
UNITED STATES BANKRUPTCY APPELLATE PANEL
OF THE NINTH CIRCUIT

In re:) BAP No. NV-07-1067-RBS
)
 USA COMMERCIAL MORTGAGE COMPANY) Bk Nos. 06-10725 LBR
) 06-10726 LBR
 USA CAPITAL REALTY ADVISORS, LLC;) 06-10727 LBR
) 06-10728 LBR
 USA CAPITAL DIVERSIFIED TRUST DEED) 06-10729 LBR
)
 FUND, LLC; USA CAPITAL FIRST TRUST)
)
 DEED FUND, LLC; USA SECURITIES,)
)
 LLC,)
)
) Ref. No. 07-06
)
 Debtors.)
)

MARGARET B. McGIMSEY TRUST; BRUCE)
)
 McGIMSEY; JERRY McGIMSEY; SHARON)
)
 McGIMSEY; JOHNNY CLARK,)
)

Appellants,)

v.)

ORDER RE PUBLICATION

USA CAPITAL DIVERSIFIED TRUST DEED)
)
 FUND, LLC; OFFICIAL COMMITTEE OF)
)
 EQUITY SECURITY HOLDERS OF USA)
)
 CAPITAL DIVERSIFIED TRUST DEED)
)
 FUND, LLC,)
)

Appellees.)

Before: RUSSELL,¹ BRANDT and SMITH, Bankruptcy Judges.

The Panel filed an unpublished memorandum of decision in
 this appeal on August 15, 2007.

After further consideration, the Panel has decided to
 redesignate the memorandum of decision as an opinion for

¹ Hon. Barry Russell, Bankruptcy Judge for the Central
 District of California, sitting by designation.

1 publication.

2 The disposition in the appeal is hereby ORDERED PUBLISHED.

3 A Clerk's Notice regarding nonsubstantive changes to the decision
4 and the opinion will be entered concurrently with the entry of
5 this order.

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28